

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DASHAWN JOHNSON,

Plaintiff,

CASE NO. 12-11780

v.

HONORABLE PATRICK J. DUGGAN

COMMISSIONER OF
SOCIAL SECURITY,

MAGISTRATE JUDGE MARK A. RANDON

Defendant.

OPINION AND ORDER

On April 20, 2012, Plaintiff filed this lawsuit challenging a final decision of the Commissioner denying Plaintiff's application for social security benefits. On April 23, 2012, this Court referred the lawsuit to Magistrate Judge Mark A. Randon for all pretrial matters proceedings, including a hearing and determination of all non-dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(A) and/or a report and recommendation ("R&R") on all dispositive matters pursuant to 28 U.S.C. § 636(b)(1)(B). (ECF No. 3.) The parties subsequently filed cross-motions for summary judgment. On February 1, 2013, Magistrate Judge Randon issued an R&R recommending that this Court grant Defendant's motion and deny Plaintiff's motion. (ECF No. 11.)

In his R&R, Magistrate Judge Randon concludes that there was substantial evidence in the record to support the Administrative Law Judge's determination that Plaintiff is not disabled. At the conclusion of the R&R, Magistrate Judge Randon advises

the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at 13.) He further specifically advises the parties that “[f]ailure to file specific objections constitutes a waiver of any further right to appeal.” (*Id.*)

Neither Plaintiff nor Defendant filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Randon. The Court therefore adopts Magistrate Judge Randon’s February 1, 2013 Report and Recommendation.

Accordingly,

IT IS ORDERED, that Plaintiff’s motion for summary judgment is **DENIED**;

IT IS FURTHER ORDERED, that Defendant’s motion for summary judgment is **GRANTED**.

Dated: April 23, 2013

s/PATRICK J. DUGGAN
UNITED STATES DISTRICT JUDGE

Copies to:

Richard J. Doud, Esq.
Andrew J. Lievense, AUSA
Russell Cohen, SSA
Magistrate Judge Mark A. Randon